

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RANDY L. JALLO,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting Commissioner  
of Social Security,

Defendant.

Case No. C13-425-RSM-BAT

**REPORT AND  
RECOMMENDATION**

Randy L. Jallo brought an action seeking review of the denial of his applications for Disability Insurance Benefits and Supplemental Security Income. Dkt. 3. The Commissioner has filed a stipulated motion the case be remanded, pursuant to sentence four of 42 U.S.C. § 405(g), for further administrative proceedings.

On remand, the Administrative Law Judge (“ALJ”) will hold a new hearing, conduct a new sequential evaluation, and issue a new decision. The ALJ will:

- (1) Reconsider the medical evidence and opinion of Dr. Lui and Dk. Skalley, providing the weight accorded to the opinions and if rejecting the opinions, provide specific and legitimate reasons for doing so;
- (2) Reassess the claimant’s residual functional capacity (“RFC”); and obtain if necessary supplemental vocational expert testimony to assist in determining what

1 jobs exist in significant numbers for the claimant given his age, education,  
2 vocational factors and RFC.

3 The ALJ will take any other actions necessary to develop the record. Plaintiff may  
4 submit additional evidence and arguments to the ALJ on remand.

5 The parties stipulate this remand be made pursuant to sentence four of 42 U.S.C. §  
6 405(g), and plaintiff will be entitled to reasonable attorney fees, expenses, and costs pursuant to  
7 28 U.S.C. § 2412(d), upon proper request to the Court.

8 The Court has reviewed the motion and record, and recommends the case be  
9 **REVERSED** and **REMANDED** for further administrative proceedings pursuant to the terms of  
10 the parties' stipulated motion. As the parties stipulate to remand, the Court recommends if this  
11 recommendation is adopted, that it be approved immediately. A proposed order accompanies  
12 this Report and Recommendation.

13 DATED this 2nd day of August, 2013.

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16 BRIAN A. TSUCHIDA  
17 United States Magistrate Judge  
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